



Illinois Environmental Protection Agency · 2200 Churchill Road, Springfield, IL 62706

217/782-6761

Refer to: 2010300040 -- Winnebago County
Rockford/Smith Oil Company
ILD 053197547

Certified # P 731918220

EPA Region 5 Records Ctr.



355734

COMPLIANCE INQUIRY LETTER

July 2, 1985

Smith Oil Company
1102 Kilburn Avenue
Rockford, Illinois 61101

Gentlemen:

The purpose of this letter is to address the status of the above-referenced facility in relation to the requirements of Title 35, Illinois Administrative Code, Part 725, Subparts G and H and to inquire as to your position with respect to the apparent violations identified in Attachment A and your plans to correct these apparent violations. The Agency's findings of apparent non-compliance in Attachment A are based on a June 24, 1985 review of documents submitted to the Agency to demonstrate compliance with the requirements of Part 725, Subparts G and H.

Please submit in writing, within fifteen (15) calendar days of the date of this letter, the reasons for the identified violations and a description of the steps which have been taken to correct the identified violations. The written response should be sent to the following:

Mark A. Maney, Manager
Facilities Compliance Unit
Compliance Monitoring Section
Illinois Environmental Protection Agency
Division of Land Pollution Control
2200 Churchill Road
Springfield, Illinois 62706


Further, take notice that non-compliance with the requirements of the Illinois Environmental Protection Act and rules and regulations adopted thereunder may be the subject of enforcement action pursuant to either the Illinois Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, Sec. 1001 et seq. or the federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sec. 6901 et seq.



Page 2

If you have any questions regarding the above, please contact Andy Vollmer at 217/782-6762.

Sincerely,


Mark A. Nancy, Manager
Facilities Compliance Unit
Compliance Monitoring Section
Division of Land Pollution Control

NAH:CSD:bd/1480e/42-43

Enclosure

cc: Division File ✓
Rockford Region
Steven Strauss
Andy Vollmer
Cindy Davis



Attachment J

1. Pursuant to 35 Ill. Adm. Code 725.212(a), by May 19, 1981, the owner or operator must have a written closure plan. A copy of the closure plan and all revisions must be kept at the facility until closure is completed and certified. The closure plan must include at least:
 - a. A description of how and when the facility will be partially closed, if applicable, and finally closed. The plan must identify how the requirements of Sections 725.211, 725.213, 725.214 and 725.215 and applicable requirements of 725.297, 725.328, 725.380, 725.410, 725.451, 725.481 and 725.504 will be met;
 - b. An estimate of the maximum inventory of wastes in storage and in treatment at any time during the life of the facility;
 - c. A description of the steps needed to decontaminate facility equipment during closure;
 - d. An estimate of the expected year of closure and a schedule for final closure;
 - e. A provision for closure certification by an independent registered professional engineer.

You are in apparent violation of 35 Ill. Adm. Code 725.212(a) for the following reason(s): you failed to submit a closure plan which meets the requirements of a, b, c, d and e above.

2. Pursuant to 35 Ill. Adm. Code 725.242(a), the owner or operator must prepare a written estimate, in current dollars, of the cost of closing the facility in accordance with the closure plan as specified in Section 725.212. You have failed to provide a closure cost estimate as required. The closure cost estimate must equal the cost of closure at the point in the facility's operating life when the extent and manner of its operation would make closure the most expensive, as indicated by its closure plan. You are in apparent violation of 35 Ill. Adm. Code 725.242(a) for the following reason(s): the Agency has not received the closure cost estimate.
3. Pursuant to 40 CFR 265.143 (as incorporated by reference in 35 Ill. Adm. Code 725.243), an owner or operator of each facility must establish financial assurance for closure of the facility. You have failed to provide adequate documentation demonstrating compliance with this section. You are in apparent violation of 35 Ill. Adm. Code 725.243 for the following reason(s): the Agency has not received the financial assurance documentation. Illinois standardized EPA forms with the required exact wording are enclosed for your submission.